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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.11.2021

CORAM:

THE HONOURABLE MR.JUSTICE R.SUBRAMANIAN

Tr.CMP.No.789 of 2021
and
CMP.No.18385 of 2021

S.Janaki

..Petitioner

Vs.

S.Shankar

..Respondent

Prayer: Transfer civil miscellaneous petition filed under Section 24 of C.P.C., seeking to withdraw HMOP.No.4737 of 2019 from the file of the III-Additional Family Court, Chennai and transfer the same to the file of the Judicial Magistrate Court - II at Tiruvallur.

For Petitioner

: Mr.R.Thomas

O R D E R

This petition has been filed seeking to transfer HMOP.No.4737 of 2019 on the file of the III-Additional Family Court, Chennai, seeking dissolution of marriage dated 13.06.2008 under the Hindu Marriage Act to the Court of Judicial Magistrate - II at Tiruvallur, on the ground that the maintenance case filed under Section 125 of Cr.P.C., is pending before the said Magistrate.

2.To my limited knowledge, a Magistrate has not been empowered to try and dispose of proceedings under the Hindu Marriage Act. Hence, this transfer civil miscellaneous petition is dismissed. No costs. Consequently, connected miscellaneous petition is closed.

s/d-

Assistant Registrar

//True Copy//

Sub-Assistant Registrar



To:-

The III-Additional Judge Family Court,
Chennai.

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+1 CC to Mr.R. Thomas, Advocate sr 60210.

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SSD(CO)
SP(02/12/2021)